

224779

STATE OF SOUTH CAROLINA

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

(Caption of Case)

Petition of the Office of Regulatory Staff for  
Commission to Order a Rule to Show Cause as to  
Why Carolina Water Service, Inc. Should Not be  
Found in Violation of Commission Regulations  
and for Issuance of Order to Provide Adequate  
and Proper Service.

COVER SHEET

DOCKET  
NUMBER: 2010 - 146 - WS

(Please type or print)

Submitted by: Benjamin P. Mustian, Esquire



SC Bar Number: 68269

Telephone: 803-252-3300

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Other:

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Address: Post Office Box 8416

Columbia, SC 29202

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other:

INDUSTRY (Check one)

- ☐ Electric  
☐ Electric/Gas  
☐ Electric/Telecommunications  
☐ Electric/Water  
☐ Electric/Water/Telecom.  
☐ Electric/Water/Sewer  
☐ Gas  
☐ Railroad  
☐ Sewer  
☐ Telecommunications  
☐ Transportation  
☐ Water  
☒ Water/Sewer  
☐ Administrative Matter  
☐ Other:

NATURE OF ACTION (Check all that apply)

- ☒ Affidavit  
☐ Agreement  
☐ Answer  
☐ Appellate Review  
☐ Application  
☐ Brief  
☒ Certificate  
☐ Comments  
☐ Complaint  
☐ Consent Order  
☐ Discovery  
☐ Exhibit  
☐ Expedited Consideration  
☐ Interconnection Agreement  
☐ Interconnection Amendment  
☐ Late-Filed Exhibit  
☒ Letter  
☐ Memorandum  
☐ Motion  
☐ Objection  
☐ Petition  
☐ Petition for Reconsideration  
☐ Petition for Rulemaking  
☐ Petition for Rule to Show Cause  
☐ Petition to Intervene  
☐ Petition to Intervene Out of Time  
☐ Prefiled Testimony  
☐ Promotion  
☐ Proposed Order  
☐ Protest  
☐ Publisher's Affidavit  
☐ Report  
☐ Request  
☐ Request for Certification  
☐ Request for Investigation  
☐ Resale Agreement  
☐ Resale Amendment  
☐ Reservation Letter  
☐ Response  
☐ Response to Discovery  
☐ Return to Petition  
☐ Stipulation  
☐ Subpoena  
☐ Tariff  
☐ Other:

Print Form

Reset Form

**WILLOUGHBY & HOEFER, P.A.**

ATTORNEYS & COUNSELORS AT LAW

930 RICHLAND STREET

P.O. BOX 8416

COLUMBIA, SOUTH CAROLINA 29202-8416

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TELECOPIER 256-8062

TRACEY C. GREEN  
ALAN WILSON  
SPECIAL COUNSEL

July 12, 2010

\*ALSO ADMITTED IN TX

**VIA HAND DELIVERY**  
**AND FIRST CLASS MAIL**

The Honorable Jocelyn G. Boyd  
Interim Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
101 Executive Center Drive  
Columbia, South Carolina 29210

RECEIVED  
JUL 12 2010  
OFFICE  
OF THE  
SPECIAL COUNSEL

RE: Petition of the Office of Regulatory Staff for Commission to Order a Rule  
to Show Cause; Docket No.: 2010-146-WS

Dear Ms. Boyd:

On July 8, 2010, counsel for Carolina Water Service, Inc. ("CWS" or the "Company") received the Utility Agenda for the Public Service Commission of South Carolina ("Commission") for the week of July 12, 2010. Item Number 8 of that document indicates that, during its weekly meeting scheduled for Wednesday, July 14, 2010, the Commission will discuss "Customer Notification of the Merits Hearing Scheduled for July 27, 2010" which has been scheduled in the above-referenced docket. In order to provide to the Commission for its consideration the information contained therein, enclosed for filing on behalf of CWS please find the original and one (1) copy of the Affidavit of Karen Sasic.

By copy of this letter, I am serving all parties of record in this proceeding with a copy of same and enclose a certificate of service to that effect. I would appreciate your acknowledging receipt of these documents by date-stamping the extra copy and returning the same to me in the self-addressed stamped envelope enclosed.

If you have any questions, or if you need any additional information, please do not hesitate to contact us.

Sincerely,

**WILLOUGHBY & HOEFER, P.A.**

A handwritten signature in black ink, appearing to read "Benjamin P. Mustian". The signature is fluid and cursive, with a large initial "B" and "M".

Benjamin P Mustian

BPM/ndd  
Enclosures

cc: Nanette S. Edwards, Esquire

The Honorable Jocelyn G. Boyd

July 12, 2010

Page 3

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bcc: Mr. Bruce T. Haas  
Mr. John Hoy  
(via electronic mail)

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**  
**DOCKET NO. 2010-146-W/S**

FILED  
JAN 14 2011  
CLERK OF COURT  
JAN 14 2011  
CLERK OF COURT

IN RE: )  
)  
Petition of the Office of Regulatory Staff )  
for Commission to Order a Rule to Show )  
Cause as to Why Carolina Water )  
Service, Inc. should not be found in )  
violation of Commission Regulations and )  
for Issuance of Order to Provide )  
Adequate and Proper Service )  
\_\_\_\_\_ )

**AFFIDAVIT OF KAREN SASIC**

Personally appeared before me, Karen Sasic, who after being duly sworn, deposes and states as follows:

1. I am a citizen and resident of the State of Florida, am in excess of eighteen years of age and am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am employed by Water Service Corporation, Inc. ("WSC") as the Manager of Customer Service. I have been employed in this position since November 2009 and am responsible for managing the customer service duties and responsibilities for each of the subsidiaries of Utilities, Inc., including Carolina Water Service, Inc. ("CWS" or the "Company") in South Carolina. At all times relevant to the matters raised herein, I was and have been employed in this capacity by WSC, and am familiar with and have personal knowledge of such matters. I am offering this affidavit on behalf of the Company in the above-captioned docket.

3. On or about April 29, 2010, I received a Revised Transmittal Letter ("Transmittal Letter") and Revised Notice of Filing and Hearings ("Notice") issued by the Public Service Commission of South Carolina ("Commission"). As indicated therein, CWS was required to mail to its customers notice of this proceeding no later than May 13, 2010, and to provide a certification to the Commission that this notification was furnished by June 3, 2010.

4. Following receipt of the Transmittal Letter and Notice, I contacted the Company's Billing Department and arranged for the Notice to be mailed to all of the Company's customers in South Carolina.

5. On May 11, 2010, the Company mailed a copy of the Notice to all of its customers in South Carolina via First Class U.S. Mail at the customer addresses maintained in the Company's billing records. A copy of the notice and the envelope in which it was sent is attached hereto and incorporated herein by reference as Exhibit A.

6. The Notice was mailed to each of the Company's customers as required by the Commission's Docketing Department.

7. Following this mailing, the Company received approximately seventy (70) pieces of return mail from this mailing that went out to more than eleven thousand customers.

8. The Notices which were sent to the addresses for Ms. Billie Gerstenberger and Ms. Teresa Smith, customers who testified at the night hearing held in this matter, were not among the pieces of mail which were returned to the Company.

9. I am unaware of any issues with the mailing which would explain why either Ms. Gerstenberger or Ms. Smith did not receive the Notice.

[SIGNATURE PAGE FOLLOWS]

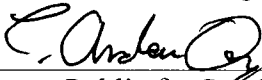
FURTHER AFFIANT SAYETH NOT.



Karen Sasic

SWORN TO AND SUBSCRIBED BEFORE ME

This 12<sup>th</sup> day of July, 2010



Notary Public for South Carolina

My Commission Expires: 01/12/2020

**PRESORTED  
FIRST-CLASS MAIL  
U.S. POSTAGE PAID  
S. SUBURBAN, IL  
PERMIT No. 785**

ADDRESS SERVICE REQUESTED

NIXIE DC 1 00 05/15/10

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*(The following text is written vertically along the right margin of the page.)*

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Utilities, Inc.

2335 Sanders Road  
Northbrook, IL 60062

LEXINGTON SC 29073

21/10/20



**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CLERK'S OFFICE**

**NOTICE OF FILING AND HEARINGS**

**DOCKET NO. 2010-146-WS**

**PETITION OF THE OFFICE OF REGULATORY STAFF FOR COMMISSION TO ORDER A RULE TO SHOW CAUSE AS TO WHY CAROLINA WATER SERVICE, INC. SHOULD NOT BE FOUND IN VIOLATION OF COMMISSION REGULATIONS AND FOR ISSUANCE OF ORDER TO PROVIDE ADEQUATE AND PROPER SERVICE**

The Office of Regulatory Staff ("ORS") pursuant to 26 S.C. Code Ann. Regs. 103-825 has filed a Petition with the Public Service Commission of South Carolina (the Commission) to show cause why Carolina Water Service, Inc. ("CWS") should not be found to be in violation of Commission regulations and to show cause why CWS should not be required to take necessary corrective action to provide adequate and proper service to its customers pursuant to S.C. Code Ann. §58-5-710 (Supp. 2009).

CWS is a public utility, as defined by S.C. Code Ann. §58-5-10(4) (Supp. 2009), providing water and sewer service to the public for compensation in certain areas of South Carolina pursuant to rates approved by the Commission in Docket No. 2006-92-WS for water and sewer service and is therefore a public utility subject to the jurisdiction of the Commission. The Petition states that CWS has violated Regulation 103-732 by failing to "bill each customer as promptly as possible following the reading of his meter"; CWS has violated Regulation 103-732.2 by failing to comply with the customer bill form; and CWS violated Regulation 103-732.3 by failing to properly apply late payment charges. The Petition also reveals that CWS has violated 26 S.C. Code Ann. Regs. 103-703 by failing to follow the Commission approved rate schedule. Also, CWS allegedly has violated Regulation 103-735 and 735.1 by failing to properly notice customers of termination of service and for improper water service termination. ORS also asserts that CWS has not resolved customer complaints promptly.

The ORS, in part, seeks the following relief from the Commission:

1. Require CWS to take those steps that the Commission determines are necessary for the provision of adequate and proper service and establish a reasonable period of time for CWS to complete such steps;
2. Require CWS to adjust its customers' bills to conform to Regulation 103-733; and
3. Require CWS to cease and desist from terminating service to water customers of CWS where the Company has failed to properly render bills.

A copy of ORS's Petition can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Clerk's Office, P. O. Drawer 11649, Columbia, South Carolina 29211. Additionally, ORS's Petition is available on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov).

## **KS Affidavit Exhibit A**

In order for comments to be received from customers regarding matters related to the ORS petition, a public hearing will be held in the Commission's Hearing Room, Synergy Business Park, 101 Executive Center Dr., Columbia, South Carolina on **Wednesday, June 30, 2010, at 6:00 p.m.**

In order for testimony and evidence to be received from parties of record, a public hearing will be held in the Commission's Hearing Room, Synergy Business Park, 101 Executive Center Dr., Columbia, South Carolina on **Tuesday, July 27, 2010, at 10:30 a.m.**

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure, on or before **June 3, 2010**, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. *Please refer to Docket No. 2010-146-W/S.*

Any person who wishes to be notified of any changes in the hearing dates, but does not wish to be a party of record, may do so by notifying the Clerk's Office in writing at the address below on or before **June 3, 2010**. *Please refer to Docket No. 2010-146-W/S.*

**PLEASE TAKE NOTICE:** Any customer who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission in Columbia at 803-896-5100.

Public Service Commission of South Carolina  
Attn: Clerk's Office  
Post Office Drawer 11649  
Columbia, SC 29211

Revised  
5/7/10

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION OF**  
**SOUTH CAROLINA**


**DOCKET NO. 2010-146-W/S**

IN RE: )  
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Petition of the Office of Regulatory Staff )  
for Commission to Order a Rule to Show )  
Cause as to Why Carolina Water )  
Service, Inc. should not be found in )  
violation of Commission Regulations and )  
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Adequate and Proper Service )  
\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

This is to certify that I have caused to be served this day one (1) copy of Carolina Water Service, Inc.'s **Affidavit of Karen Sasic** by placing same in the care and custody of the United States Postal Service with first class postage attached thereto and addressed as follows:

Nanette S. Edwards, Esquire  
**Office of Regulatory Staff**  
Post Office Box 11263  
Columbia, South Carolina 29211

  
\_\_\_\_\_  
Nathan D. Dawson

Columbia, South Carolina  
This 12<sup>th</sup> day of July, 2010.

RECEIVED  
JUL 13 2010  
PUBLIC SERVICE